

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

AUTHORS GUILD *et al.*, individually and on  
behalf of others similarly situated,

Plaintiffs,

v.

OPENAI INC., OPENAI OPCO LLC,  
OPENAI GP LLC, OPENAI LLC, OPENAI  
GLOBAL LLC, OAI CORPORATION LLC,  
OPENAI HOLDINGS LLC, OPENAI  
STARTUP FUND I LP, OPENAI STARTUP  
FUND GP I LLC, OPENAI STARTUP FUND  
MANAGEMENT LLC, and MICROSOFT  
CORPORATION,

Defendants.

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JONATHAN ALTER *et al.*, on behalf of  
themselves and all others similarly situated,

Plaintiffs,

v.

OPENAI, INC., OPENAI GP, LLC, OPENAI,  
LLC, OPENAI OPCO LLC, OPENAI  
GLOBAL LLC, OAI CORPORATION, LLC,  
OPENAI HOLDINGS, LLC, and  
MICROSOFT CORPORATION,

Defendants.

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THE NEW YORK TIMES COMPANY

Plaintiffs,

v.

MICROSOFT CORPORATION, OPENAI,  
INC., OPENAI LP, OPENAI GP, LLC,  
OPENAI, LLC, OPENAI OPCO LLC,  
OPENAI GLOBAL LLC, OAI  
CORPORATION, LLC, and OPENAI  
HOLDINGS, LLC,

Defendants.

Case No. 1:23-cv-08292-SHS

Case No. 1:23-cv-10211-SHS

Case No. 1:23-cv-11195-SHS

Case No. 1:24-cv-00084-SHS

**[PROPOSED] ORDER GRANTING  
MOTION TO INTERVENE AND  
DISMISSING THIS CASE**

NICHOLAS A. BASBANES and NICHOLAS  
NGAGOYEANES (professionally known as  
Nicholas Gage), individually and on behalf of  
all others similarly situated,

Plaintiffs,

v.

MICROSOFT CORPORATION, OPENAI,  
INC., OPENAI GP, L.L.C., OPENAI  
HOLDINGS, LLC, OAI CORPORATION,  
LLC, OPENAI GLOBAL, LLC, OPENAI,  
L.L.C., and OPENAI OPCO, LLC,

Defendants.

On this \_\_\_\_\_ day of \_\_\_\_\_ 2024, having considered the Motion to Intervene submitted by Sarah Silverman, Paul Tremblay, Christopher Golden, Richard Kadrey, Michael Chabon, Ta-Nehisi Coates, Junot Díaz, Andrew Sean Greer, David Henry Hwang, Matthew Klam, Laura Lippman, Rachel Louise Snyder, Ayelet Waldman, and Jacqueline Woodson, the Court hereby **GRANTS** the motion allowing them intervention for the purposes of allowing them to file their accompanying Motion to Dismiss, Stay, or Transfer. Having further considered the Motion to Dismiss, Stay, or Transfer, the Court hereby **GRANTS** the Motion and dismisses the actions entitled *Authors Guild et al., v. OpenAI, Inc. et al.*, Case No. 1:23-cv-08292-SHS (S.D.N.Y. Sep. 19, 2023), *Alter et al. v. OpenAI Inc. et al.*, Case No. 23-cv-10211-SHS (S.D.N.Y. Nov. 21, 2023), *N.Y. Times Co. v. Microsoft Corp. et al.*, Case No. 23-cv-11195 (S.D.N.Y. Dec. 27, 2023), and *Basbanes et al. v. Microsoft Corp. et al.*, No. 24-cv-00084 (S.D.N.Y. Jan. 5, 2024).

**IT IS SO ORDERED.**

Dated:

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SIDNEY H. STEIN  
United States District Judge